

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

NIZAR TRABELSI,)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 1:24-cv-1509 (RDA/LRV)
)	
JEFFREY CRAWFORD, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

This matter comes before the Court on Petitioner Nizar Trabelsi’s Motion for Issuance of an Order to Show Cause. Dkt. 21. Petitioner has filed a petition for writ of *habeas corpus* challenging his detention by Immigration and Customs Enforcement (“ICE”). Dkt. 1. According to the Petition, Petitioner was extradited to the United States from Belgium in order to face criminal charges in the United States District Court for the District of Columbia. In those charges, the government alleged that Petitioner conspired to kill a U.S. Citizen outside of the United States and provided material support to terrorists. *See generally United States v. Nizar Trabelsi*, No. 06-cr-89-RDM-1 (D.D.C.). In July 2023, Petitioner was acquitted of all charges and a judgement of acquittal entered. *See id.*, Judgment of Acquittal dated July 17, 2023 (Dkt. 656) (D.D.C.). Petitioner alleges that, despite not having voluntarily sought admission to the United States, the government transferred Petitioner into ICE custody and instituted removal proceedings against him as an inadmissible applicant for admission who lacks requisite entry documents. Dkt. 1 ¶ 7. Petitioner further alleges that the government seeks to remove Petitioner to Tunisia, where he is a citizen and where he was tried *in absentia* on similar charges as the D.C. case, rather than to Belgium from where he was extradited. *Id.* ¶ 8.

The docket reflects that Petitioner served the Respondents on September 12, 2024. Petitioner now seeks the issuance of an Order to Show Cause directed to Respondents pursuant to 28 U.S.C. § 2243. Dkt. 21. Section 2243 provides that a district court with an application for *habeas corpus* pending before it “shall forthwith award the writ or issue an order directing the respondents to show cause why the writ should not be granted.” 28 U.S.C. § 2243. Petitioner seeks a briefing schedule that provides Respondents with seven (7) days to respond and then provides Petitioner with five (5) days to reply before holding a hearing on the petition. Dkt. 21. This schedule is longer than what is provided for by statute. *See* 28 U.S.C. § 2243.

Accordingly, the Motion (Dkt. 21) is GRANTED; and it is

FURTHER ORDERED that Respondents are ORDERED to SHOW CAUSE by way of a written response on or before **Thursday, October 3, 2024** why the writ should not issue; and it is

FURTHER ORDERED that Petitioner shall have until **Monday, October 7, 2024** to file a reply; and it is


FURTHER ORDERED that this matter is SCHEDULED for a hearing on **Wednesday, October 9, 2024 at 10:30 a.m.**; and it is

FURTHER ORDERED that, because no attorney for Respondents has entered an appearance, the Clerk of the Court is DIRECTED to email a copy of this Order to the United States Attorneys’ Office for the Eastern District of Virginia; and it is

FURTHER ORDERED that Petitioner is DIRECTED to provide a copy of this Order to any attorney for the government that Petitioner’s counsel knows to be involved in this case.

IT IS SO ORDERED.

Alexandria, Virginia
September 26, 2024

/s/ 

Rossie D. Alston, Jr.
United States District Judge